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EXAMINER

PARTON, KEVIN S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 06/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/161,404

Applicant(s)

NAKAMURA, SHUICHI

Examiner

Kevin Parton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/28/1998 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

- a. Figure 1 signs "21", "22", "23", and "24"
- b. Figure 5 sign "25"

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

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122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 2, 4, 7, 8-16, 20, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Girerd et al. (USPN 6,131,067).

5. Regarding claim 1, Girerd et al. (USPN 6,131,067) teach a status information providing system for sensing the status of an object terminal (column 2, lines 15-17, column 3, lines 23-27) via a network of a general purpose protocol (column 2, lines 30-35, column 3, line 29) and outputting information indicative of the sensed status to a prescribed output terminal (column 2, lines 25-27, column 3, lines 38-40), wherein said object terminal includes:

- a. Status sensing means for sensing status of the terminal itself or status of a prescribed device located within the terminal (column 2, lines 19-21, column 4 lines 23-25).
- b. Transmitting means for transferring information, which relates to the status sensed, to a prescribed server on the network, and storing this information in storage means provided in said server (column 2, lines 21-28, column 5, lines 4-6).

Said output terminal includes:

- c. Readout means for reading information out of said storage means of said server (column 2, lines 25-27, column 6, lines 17-19). Note that in the reference, the ability of the server to identify the remote device implies storage means.

- d. Output means for producing an output in accordance with the information read out of said storage means (column 2, lines 25-27, column 5, lines 42-44).

Note that in the reference, the output terminal uses a web browser capable of displaying the output of the server.

6. Regarding claim 2, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 1. They further teach a system wherein the status sensing means includes means for sensing position information representing position of the object terminal (column 2, lines 19-21).

7. Regarding claim 4, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 1. They further teach means wherein the general-purpose network is The Internet (column 3, lines 29-31).

8. Regarding claim 7, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 1. They further teach means wherein the transmitting means transmits information in accordance with the Hypertext Transfer Protocol (column 3, lines 56-60).

9. Regarding claims 8, 10, and 12, Girerd et al. (USPN 6,131,067) teach a status information system for outputting status information to a server for the sake of another client connected to a general-purpose network (column 2, lines 15-27, 30-35; column 3, lines 23-26), comprising:

- a. Status sensing means for sensing status of the apparatus itself or status of a prescribed device located within the apparatus (column 2, lines 19-21, column 4, lines 23-25).

- b. Transmitting means for transferring information, which relates to the status sensed, to a prescribed server on the network (column 2, lines 21-28, column 5, lines 4-6).
- c. Storing this information in storage means provided in the server (column 2, lines 21-28; column 6, lines 17-19). Note that in the reference, the ability of the server to identify the remote device implies storage means.

10. Regarding claim 9, 11, and 13, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 8. They further teach means wherein the transmitting means transmits information in accordance with the Hypertext Transfer Protocol (column 3, lines 56-60).

11. Regarding claims 14, 20, and 21, Girerd et al. (USPN 6,131,067) teach a system comprising means including an information providing system using a general purpose protocol (column 2, lines 30-35, column 3, lines 23-26) for allotting input information, which has been entered at a plurality of information generating terminals connected to a network (column 2, lines 15-25; column 3, lines 23-26), to a client connected to the network, comprising:

- a. Terminal status storage means for receiving data sent from the plurality of information generating terminals at predetermined time intervals (column 2, lines 21-28; column 4, lines 43-45). Note that in the reference, the ability of the server to identify the remote device implies storage means.
- b. Storing the data in a storage unit provided for each information generating terminal (column 2, lines 21-28; column 6, lines 17-19). Note that in the reference, the ability of the server to identify the remote device implies storage means.

- c. First transmitting means for transmitting viewing information concerning information generating terminals to a client in order to make it possible for the client to select any object terminal for which data has been stored (column 2, lines 21-22; column 3, lines 47-50).
- d. Second transmitting means for transmitting, to the client, information for receiving input information of the information generating terminal, which has been selected by the client, in such a manner that the client can receive information that has been entered from an input device possessing the information generating terminal that has been selected (column 2, lines 25-28, column 3, lines 55-60).

12. Regarding claim 15, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 14. They further teach means wherein the network is the Internet (column 3, lines 28-31) and said information providing apparatus is a World-Wide Web server (column 3, lines 48-50).

13. Regarding claim 16, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 15. they further teach means wherein a protocol between the information generating terminals and the information providing apparatus, as well as a protocol between said information providing apparatus and the client is the Hypertext Transfer Protocol (column 3, lines 56-60). Note that although the reference does not specifically state that the information generating terminals communicate via http, they are communicating over cellular to a WWW server, so http is assumed as the standard for the full system.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. (USPN 6,131,067) in view of Streit et al. (USPN 5,902,351). Although the system disclosed by Girerd et al. (USPN 6,131,067) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means wherein the status sensing means includes means for sensing direction of said object terminal.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Streit et al. (USPN 5,902,351).

In an analogous art, Streit et al. (USPN 5,902,351) disclose a system for GPS tracking of vehicles and remote terminals comprising means wherein status sensing means includes means for sensing direction of the object terminal (column 3, lines 2-20). Note that velocity measurements by definition include directional components.

Given the teaching of Streit et al. (USPN 5,902,351), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a sensor to note direction of the remote object. This allows the client machine to provide the user with a historical path, a current position, and a

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likely future position. The benefit of this is the increased awareness of the client to the movements of the remote object.

16. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. (USPN 6,131,067).

17. Regarding claim 5, although the system disclosed by Girerd et al. (USPN 6,131,067) (as applied to claim 4) shows substantial features of the claimed invention, it fails to disclose means wherein the transmitting means transmits an URL, which specifies an object senses by the status sensing means, together with the information relating to the status sensed.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067).

A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the transmission of a URL with identification of the remote device and the status information. The transmission is going to a web server that will store this information in html for access by the client. By sending the URL, the remote device allows for one less step in converting the returned information into html. This saves time and possible errors by the server as well as faster presentation to the user in this one second update system.

18. Regarding claim 18, Girerd et al. (USPN 6,131,067) teach the limitations as applied to claim 16. They further teach means wherein the terminal status storage means updates position information, which is sent from each of the information generating terminals, in accordance with a directory name and file name specific to each terminal (column 6, lines 10-19).

Although the system disclosed by Girerd et al. (USPN 6,131,067) (as applied to claim 16) shows substantial features of the claimed invention, it fails to disclose means wherein said terminal status storage means stores position information in accordance with a URL of said information providing apparatus.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067).

A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the URL of the remote device for reference and storage. This allows for no translation to be required between the returned information and the stored position information. This decreases lag time and the opportunity for system error.

19. Claims 6, 19, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. (USPN 6,131,067) in view of Wortham (USPN 5,299,132).

20. Regarding claim 6, although the system disclosed by Girerd et al. (USPN 6,131,067) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means wherein prescribed time intervals at which information is transmitted by the transmitting means are decided by an external setting.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Wortham (USPN 5,299,132).

In an analogous art, Wortham (USPN 5,299,132) discloses a system for vehicle locating and communicating including means wherein prescribed time intervals at which information is

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transmitted by the transmitting means are decided by an external setting (column 4, lines 13-21).

Note that in the reference, the setting comes from host controller to the cellular remote client; this is considered 'external' as claimed.

Given the teaching of Wortham (USPN 5,299,132), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a programmable transmit time interval. This benefits the system in two ways: 1) the remote device need not have a human controller for sending back the data, and 2) The timing interval for all connected devices can be changed at one time by a central system administrator. This alleviates the need for a change to every device individually if that change is necessary.

21. Regarding claims 19 and 25, Girerd et al. (USPN 6,131,067) teach the limitations as applied to claims 16 and 22. They further teach means wherein said first transmitting means transfers data, via Hypertext Markup Language and allows transmission by the second transmitting means (column 3, lines 47-60).

Although the system disclosed by Girerd et al. (USPN 6,131,067) shows substantial features of the claimed invention, it fails to disclose means wherein message includes combined image information and URL information, the combined image information consisting of a map image in the vicinity of a position requested by a client and an icon image indicating a position at which an information generating terminal contained in the map image is present.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Wortham (USPN 5,299,132).

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In an analogous art, Wortham (USPN 5,299,132) discloses a system for vehicle location and communication comprising means utilizing a message consisting of a map image in the vicinity of a position requested by a client and an icon image indicating a position at which an information generating terminal contained in the map image is present (column 1, lines 55-57).

Given the teaching of Wortham (USPN 5,299,132), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of maps and icons for location of the vehicle by the client user. The benefit of this is obvious, it gives the user a larger view of the location of the remote device on a surface that is easily understood by the user.

In addition, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a URL and image file in the returned message. All this information is necessary for the user and may be accessed from the central server or sent from the remote device as claimed. If sent from the remote device, this eliminates the need to query the server separately for the image information. The map will automatically be available to the user without the overhead of requesting it from the server.

22. Claims 17 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al in view of Kitano et al. (USPN 5,926,116).

23. Regarding claim 17, Girerd et al. (USPN 6,131,067) teaches the limitations as applied to claim 16. They further teach a system comprising means wherein each of the information generating terminals has a Global Positioning System (GPS) (column 4, lines 23-25)

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Although the system disclosed by Girerd et al. (USPN 6,131,067) shows substantial features of the claimed invention, it fails to disclose means wherein each of said information generating terminals has an image sensing means.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Kitano et al. (USPN 5,926,116).

In an analogous art, Kitano et al. (USPN 5,926,116) disclose a system for remote information retrieval comprising a remote terminal with image sensing means and a GPS (column 4, lines 47-61). The image sensing means is a video camera and provides images back to the central server.

Given the teaching of Kitano et al. (USPN 5,926,116), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of an image sensing mechanism at the remote location. This would aid the client user and increase situational awareness by providing not only a computer generated but also a real time visual representation of the location of the remote sensor. The user could more easily react to changes in the environment that would be otherwise unknown. Note that any number of sensors may be applicable here including sound and climate.

24. Regarding claim 22, Girerd et al teach an information providing system in which a plurality of information generating terminals, an information display terminal and a server are connected via a general-purpose network, wherein each information generating terminal includes:

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- a. Input means for inputting position information from a Global Positioning System (column 4, lines 23-25)
- b. First transmitting means for transmitting information, which has been input by the input means, in order to store the information in the server in accordance with an URL allocated to the information generating terminal (column 2, lines 24-26). Note that the URL is generated by the server or sent from the remote device, either method is acceptable.

Said information display terminal includes:

- c. First requesting means for requesting the server for transmission of viewing information relating to the information generating terminals (column 2, lines 17-21). Note that in the reference, the client's submission of a remote device ID is the request in the claim.
- d. Selecting means for selecting a desired information generating terminal from the viewing information that has been sent from the server (column 2, lines 17-21). Note that in the reference, the requested ID could be through a URL displayed to the user.
- e. Said server includes storage means for storing information, which is transmitted from the information generating terminal, at a location corresponding to the URL (column 2, lines 21-28). Note that in the reference, the ability of the server to identify the remote device implies storage means.
- f. Second transmitting means which, in a case where the first requesting means of said information display terminal has issued a request, is for transmitting

viewing information relating to the information generating terminal stored by the storage means to the information display terminal that issued the request (column 2, lines 25-27).

- g. Third transmitting means for transmitting, to said information display terminal, information for accessing the information display terminal that has been selected by said selecting means of said information display terminal (column 2, lines 25-27).

Although the system disclosed by Girerd et al. (USPN 6,131,067) shows substantial features of the claimed invention, it fails to disclose:

- a. Input means for inputting video data representing video sensed by prescribed image sensing means;
- b. Display means for displaying at least the video data, which has been input by the first input means, contained in information that has been generated by the information generating terminal selected by the selecting means.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Kitano et al. (USPN 5,926,116).

In an analogous art, Kitano et al. (USPN 5,926,116) disclose a status monitoring system comprising:

- a. Input means for inputting video data representing video sensed by prescribed image sensing means (column 4, lines 47-61).

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- b. Display means for displaying at least the video data, which has been input by said first input means, contained in information that has been generated by the information generating terminal selected by said selecting means (column 3, lines 13-18).

Given the teaching of Kitano et al. (USPN 5,926,116), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a video sensor in combination with the GPS. Video gives the most easily human readable situational awareness representation. This would aid the client user and increase situational awareness by providing not only a computer generated but also a real time visual representation of the location of the remote sensor. The user could more easily react to changes in the environment that would be otherwise unknown. Note that any number of sensors may be applicable here including sound and climate.

25. Regarding claim 23, Girerd et al. (USPN 6,131,067) and Kitano et al. (USPN 5,926,116) teach all the limitations as applied to claim 22. Girerd et al. (USPN 6,131,067) further teach means wherein the network is the Internet (column 3, lines 28-31).

26. Regarding claim 24, Girerd et al. (USPN 6,131,067) and Kitano et al. (USPN 5,926,116) teach all the limitations as applied to claim 22. Girerd et al. (USPN 6,131,067) further teaches means wherein a protocol between the information generating terminals and the server, as well as a protocol between the server and the information display terminal, is the HyperText Transfer Protocol (column 3, lines 55-60). Note that although the communication between remote device and server is not explicitly stated, it is a web server and the communication line is cellular, so http can be assumed.

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Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kaman (USPN 5,844,473), Giniger et al. (USPN 6,199,045), Nichols et al. (USPN 6,138,150), and Knowles (USPN 6,068,188) all teach systems and methods similar to the claimed invention. All of these involve sending status of a remote device to a central server and then back to a user each of which involve at least one wireless connection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9242 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Kevin Parton
Examiner
Art Unit 2153

ksp
June 14, 2002


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SUPERVISORY PATENT EXAMINER
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